

# STEINMETZ | LLC

ATTORNEYS AT LAW

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March 20, 2025

The Honorable Robert Kirsch  
U.S. District Judge for the District of New Jersey  
Clarkson S. Fisher Building & U.S. Courthouse  
402 East State Street, Room 2020  
Trenton, NJ 08608  
VIA PACER ALONE

Re: Aaron Herman, et al. v. Abraham Bodek, et al.  
Docket No. 3:25-cv-01511-RK-JBD

Dear Judge Kirsch:

Regarding the above-referenced matter, please know that a letter that I had uploaded to Pacer requesting that the Court please grant the defendants additional time to answer or otherwise reply to this matter's plaintiffs' complaint (appended hereto as Exhibit A) contained an inadvertent error. Specifically, the second sentence of the fifth paragraph stated: "My office, this morning and via e-mail, therefore asked Plaintiff's [*sic, I see now*] counsel whether Plaintiffs would agree to any extension." (Exhibit A (emphasis added)). "This morning" was written in error, as it was actually early this afternoon (at 12:14 PM EDT, to be precise)—not this morning—that my office (specifically, my paralegal) emailed the plaintiffs' counsel to ask whether the plaintiffs would agree to any extension. While that distinction may be inane to some, I understand from an extremely disrespectful email that I received from the plaintiffs' counsel regarding that error, that such a pedantic error is not inane to all, and therefore formally make this correction.

Very truly yours,

/s/ David C. Steinmetz

David C. Steinmetz, Esq.  
STEINMETZ LLC

## **Exhibit A**

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Dear Judge Kirsch:

Please be advised that my law practice, Steinmetz LLC, has only recently been retained by Abraham Bodek (a/k/a Lazer Bodek), Park Ave Capital III LLC and Park Capital ACQ LLC (collectively, “Defendants”) to represent their interests in the context of the above-captioned matter. Plaintiffs in the above captioned matter (“Plaintiffs”), who had not requested a Rule 4(d) waiver, served Defendants with the coversheet, summons and complaint on March 3, 2025. Accordingly, Defendants are required to file an answer or other responsive pleading on or before this Monday, March 24, 2025.

The relevant complaint, inclusive of its exhibits, is 299 pages in length.

Some of the claims alleged by Plaintiff in their complaint are false and, presumptively, are known to be false by Plaintiffs. For example, Early in Plaintiffs’ complaint, Abraham Bodek, one of the three Defendants and the only natural one, is characterized as a “serial fraudster” despite Abraham Bodek never have been found civilly or criminally guilty of fraud. A cursory review of the complaint reveals that other claims are clearly opportunistic in nature. Due the readily apparent inaccuracies, Abraham Bodek and I must painstakingly review each paragraph of Plaintiffs’ complaint.

Due to the length of the complaint, the fine-tooth review that it requires, my recent retention as Defendants’ counsel, and due to previously scheduled vacations centered around the upcoming Passover holiday, it is not practically feasible for myself to prepare Defendants’ response to Plaintiffs’ complaint until a few workdays after the conclusion of the Passover holiday, which this year terminates at nightfall on April 20, 2025.

Yesterday, my office asked Plaintiffs’ counsel to consent to extend Defendants’ time to respond to the complaint through April 29, 2025. Plaintiffs’ counsel responded that the Plaintiffs “are not willing to allow any delays in answering, certainly not one that long.” My office, this morning and via e-mail, therefore asked Plaintiff’s counsel whether Plaintiffs would agree to any

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extension. I have not yet received a response. Accordingly, my adversary has not yet consented to such delay. Pursuant to Judge Robert Kirsch Judicial Preferences C(4), I include, immediately below, the reason that Plaintiffs' counsel provided me for Plaintiffs' nonconsent to such a delay:

Unfortunately, given the circumstances underlying the case, my clients are not willing to allow any delays in answering, certainly not one that long. I am sorry that I cannot give you that courtesy – perhaps when you are through reading the complaint, you will understand better my clients' perspective and the length of patience that they've already extended.

The Defendants and myself therefore respectfully ask Your Honor to please extend the due date for Defendants' answer or otherwise reply to Plaintiffs' complaint from this Monday, March 24, 2025, to April 25, 2025, a Friday. May Your Honor please permit such an extension?

Very truly yours,

/s/ David C. Steinmetz

David C. Steinmetz, Esq.  
STEINMETZ LLC